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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/604,292	07/09/2003	Jung-Yuan Tsai	HTCP0009USA	1291

27765 7590 11/18/2004

NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)
P.O. BOX 506
MERRIFIELD, VA 22116

EXAMINER

WACHSMAN, HAL D

ART UNIT	PAPER NUMBER
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2857

DATE MAILED: 11/18/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/604,292	Applicant(s) TSAI ET AL.	
	Examiner Hal D Wachsman	Art Unit 2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-20 is/are allowed.
- 6) ☒ Claim(s) 1,2 and 8-11 is/are rejected.
- 7) ☒ Claim(s) 3-7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>4-9-04</u> . | 6) <input type="checkbox"/> Other: _____ |



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10/604 292

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT	PAPER
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11122004

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Hal D Wachsman
Primary Examiner
Art Unit: 2857

1. The drawings, figures 1-6, are objected to under 37 C.F.R. 1.84 because all the lines are not uniformly thick and well defined. Appropriate correction is required.
2. In paragraph 0004 of the specification, "PDA" and "RAM" have not been defined. Appropriate correction is required.
3. The listing of references in the specification (see paragraph 0005) is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.
4. In various locations of both the specification and claims, such as for example in paragraph 0002 of the specification ("devicethat"), claim 1 ("installedin"), etc., words have been combined together with no space left between the words. Appropriate correction is required.
5. The last sentence of paragraph 0006 of the specification states "Therefore, the related functions, such as charging and battery-capacity detection, cannot be performed until a manual button is pressed, which causes inconvenience to users." As many common electrical/electronic devices are turned on or off by a manual button, it is not clear what the basis is for stating that the pressing of a manual button is an inconvenience to users. Appropriate explanation/correction is required.

6. Claims 1 and 12 are objected to under 37 C.F.R. 1.75(i) because each element of these claims are not separated by a line indentation. Appropriate correction is required.

7. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: There is no antecedent basis in the specification for "pulse signal" which is found in claim 9.

8. Claims 1-20 are objected to under 37 C.F.R. 1.75(a) for failing to particularly point out and distinctly claim the subject matter which the applicant regards as the invention. The preamble of claim 1 cites "A portable device.." but a portable device for what exactly is being referred to here ? Claim 1, line 5, cites "installedin" which should be "installed in". This type of problem in which no space has been left between words, occurs in various locations throughout the claims. Claim 12, line 13, cites "installed the battery vessel" which it appears should be "installed in the battery vessel". The examiner asks the applicant to better claim the limitations cited above. While the examiner understands the intentions of the applicant he feels confusion could be drawn from the limitations cited above. Appropriate correction is required.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

10. Claims 1, 2, 8, 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicant's Admissions of the prior art in view of Eguchi et al. (6,087,803).

As per claim 1, the Applicant's Admissions of the prior art (figure 1, paragraphs 0004, 0005 of the specification) disclose "a housing for accommodating a detachable battery...providing main power for operations of the portable device." The Applicant's Admissions of the prior art (figure 1, paragraph 0005 of the specification) disclose "a sensor installed in the housing for detecting conditions of the detachable battery" and "an operating processor for controlling operations of the portable device". With respect to the starting module as described in the last 5 lines of the claim, the Applicant's Admissions of the prior art (paragraph 0004 of the specification) disclose the automatic turn on of a portable device after the sensor detects the detachable battery

being correctly installed in the housing. It appears though that the Applicant's Admissions of the prior art does not clearly disclose a starting module as described in the claim that can output a turn-on signal to the operating processor when correct detachable battery installation is detected. However, Eguchi et al. (Abstract, col. 2 lines 11-20, 33-37, 50-54, col. 3 lines 16-42, col. 5 lines 21-24, col. 12 lines 9-12) teaches this excepted feature. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Eguchi et al. to the Applicant's Admissions of the prior art because as taught by Eguchi et al. (col. 3 lines 64-67) it would reduce the number of terminals for detection of loading of the battery pack enabling the realization of miniaturization and result in less unsatisfactory contact of the terminal.

As per claim 2, the Applicant's Admissions of the prior art (figure 1, paragraph 0005 of the specification) disclose the feature of this claim.

As per claim 8, the Applicant's Admissions of the prior art (figure 1, paragraph 0004 of the specification) disclose the feature of this claim.

As per claim 10, the Applicant's Admissions of the prior art (paragraph 0004 of the specification) disclose the portable device being a personal digital assistant.

As per claim 11, it is inherent in the art that a central processing unit is the computational and control unit of a computer, that is the device that interprets and executes instructions and that single-chip central processing units are called microprocessors.

11. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over the Applicant's Admissions of the prior art in view of Eguchi et al. (6,087,803) as applied to claim 1 above, and further in view of Hughes et al. (6,420,854).

As per claim 9, Hughes et al. (see at least abstract) teach the feature of this claim. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply the techniques of Hughes et al. to the Applicant's Admissions of the prior art and Eguchi et al. as specified above because as taught by Hughes et al. (col. 1 lines 62-65) the techniques of Hughes et al. also accurately detect a disconnected battery, even in the presence of an unexpected circuit load that may draw current from the charging circuit.

12. Claims 12-20 are allowed subject to the appropriate correction of the 37 C.F.R. 1.75(a) objections noted in paragraph 8 above.

Claims 3-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

13. The following references are cited as being art of general interest: Kim (5,825,100) which discloses a battery presence detector that detects that the main battery has been removed, Ryan (5,977,745) which discloses detecting loose type battery cells in a recharging device and Barkat et al. (5,717,307) which disclose the use of main and auxiliary batteries in a portable cellular telephone.

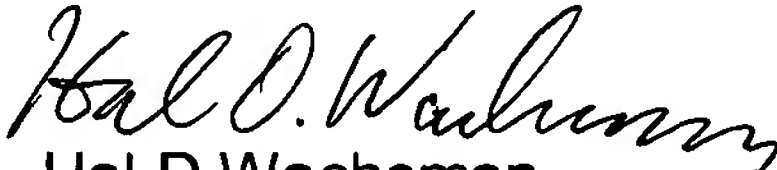
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hal D Wachsman whose telephone number is 571-272-

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2225. The examiner can normally be reached on Monday to Friday 7:00 A.M. to 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marc Hoff can be reached on 571-272-2216. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Hal D Wachsman
Primary Examiner
Art Unit 2857

HW
November 12, 2004